



# PREPROPOSAL STATEMENT OF INQUIRY

(RCW 34.05.310)

CR-101 (7/22/01)

Do **NOT** use for expedited rule making

**Agency:** Department of Agriculture

**Subject of possible rule making:** The department will propose amending WAC 16-250-155 (Tonnage fee requirements) and WAC 16-252-155 (Tonnage fee required) to increase the current inspection fees for commercial feed and pet food/specialty pet food from nine cents/ton to twelve cents/ton.

**(a) Statutes authorizing the agency to adopt rules on this subject:** RCW 15.53.9018, Section 309(2) of chapter 25, Laws of 2003, 1<sup>st</sup> Special Session (ESSB 5404) and chapter 34.05 RCW

**(b) Reasons why rules on this subject may be needed and what they might accomplish:** The department will propose increasing the inspection fees in WAC 16-250-155 and WAC 16-252-155 in order to reduce a feed program funding deficit. The feed program is funded entirely from fees (registration fees, license fees and inspection fees). From January 1980 to the present, inspection fees have increased from eight cents/ton to nine cents/ton. The one-cent/ton increase occurred in 1996 and was used to support the feed program's share of the department's administrative costs. The 1996 one-cent/ton fee increase **was not** used to fund program activities. The three-cent/ton increase that the department will propose will not completely address the feed program funding deficit, but it will give the department and its feed advisory committee sufficient time to address long-term program funding needs and solutions. Section 309(2) of chapter 25, Laws of 2003, 1<sup>st</sup> Special Session (ESSB 5404) authorizes the department to propose a fee increase in excess of the Office of Financial Management (OFM) fiscal growth rate factor.

**(c) Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**  
None

**(d) Process for developing new rule (check all that apply):**

- ☐ Negotiated rule making  
☐ Pilot rule making  
☐ Agency study

X Other (describe) The proposed feed inspection fee increases will be sent to affected stakeholders and other interested parties for review and comment before the department files a CR 102. In addition, the proposed increase will continue to be discussed by an ad hoc committee of the department's feed advisory committee. When a CR 102 is filed, interested parties will be able to submit written comment during the public comment period and will be able to give oral testimony at the public hearing.

**(e) How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers of persons to contact; describe meetings, other exchanges of information, etc.)

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**DATE**

March 3, 2004